

# **Applicant Response Statement**

## **Variance Request #1**

Del Taco is requesting a variance from the restrictions requiring a monument sign for this remodel. Del Taco wishes to use the exiting freestanding sign structure.

### **Code Reference**

Sign Code Chapter 6. 6.5.2

### **Response to Variance Criteria**

1. The Applicant is requesting relief from the requirement that this development must have an 8' monument sign.
2. The special conditions existing for this property are as follows: The adjacent properties fronting on Hwy 92 each have signs matching the existing sign on site. If Del Taco were required to convert to a monument sign it would create a disadvantage compared to its neighbors. Additionally, due to the elevation along the east side of the site a monument sign would be obscured by a landscaped mound and not be visible to west bound traffic.
3. A literal interpretation of this restriction on this outparcel will deprive the applicant the right to conduct their business in a competitive manner as necessary to be successful. The adjacent properties are able to conduct their business in a normal manner without the loss of volume and revenue which this parcel would experience from extremely limited sign visibility.
4. The landscape formations which would block the visibility of a monument sign are already in place and not created or caused by the applicant.
5. Granting of this variance would not confer special privileges to the applicant, since the two neighbors on either side have signage similar to the existing signage the applicant wishes to maintain.
6. This request is unique to this parcel due to the fact the neighboring signage is similar to what the applicant wishes to maintain. Additionally, other parcels don't have the unique landscape formations which obscure monument sign visibility.
7. The requested relief from the signage requirements is the minimum necessary to allow for reasonable use of the parcel. The applicant is asking to maintain the existing sign type and size which will be in concert with the surrounding businesses and will allow for the most environmentally sustainable solution to the remodel by reusing the existing signage material.
8. If the variance is granted the parcel will still be in harmony with the ordinance and neighboring uses. The allowance will not cause a detriment to the community and will help maintain uniformity and avoid an ad hoc appearance of the development. Additionally, the variance will allow Del Taco provide the best product and service to the surrounding community.

# **Applicant Response Statement**

## **Variance Request #2**

Del Taco is requesting a variance from the restrictions on building set back requirements, which requires the existing building to be moved toward Hwy 92

### **Code Reference**

Code Compliance Certificate (Bldg Location)

Chapter 7 - Section 7.723

### **Response to Variance Criteria**

1. The Applicant is requesting relief from the requirement that this development must move the building frontage closer to Hwy 92.
2. The special conditions existing for this property are as follows: If the building were to be moved forward it would require a complete demolition of the existing building and construction of a new building. Also, if the building were to be moved forward it would eliminate the only access to the neighboring auto parts store.
3. A literal interpretation of this restriction on this outparcel will deprive not only the applicant the applicant the right to conduct their business in a competitive manner as necessary to be successful but it would do the same to its neighbor to the east.
4. The existing access routes were already in place and not created or caused by the applicant.
5. Granting of this variance would not confer special privileges to the applicant, since the applicant wishes to development in an environmentally responsible manner by reusing the existing building materials. Additionally, eliminating access to the neighboring auto parts store would be an unreasonable interpretation of the code.
6. This request is unique to this parcel due to the fact the neighboring use is entirely dependent upon the access drive which would be eliminated by moving the building frontage close to Hwy 92.
7. The requested relief from the frontage requirements is the minimum necessary to allow for reasonable use of the parcel. The applicant is asking to maintain the existing circulation patterns. Additionally, using the existing building and circulation patterns would be the most environmentally responsible solution, allowing for reuse/recycling and reduction of negative impact on the environment.
8. If the variance is granted the parcel will still be in harmony with the ordinance and neighboring uses. The allowance will not cause a detriment to the community and will help maintain uniformity and avoid an ad hoc appearance of the development. Additionally, the variance will allow the neighboring parcel to continue to provide a necessary service to the community.

# Applicant Response Statement

## Variance Request #3

Del Taco is requesting a variance from the restrictions number and size of menu boards as described by the sign code. Del Taco wishes to construct two (2) menu boards at 50 sf each along the drive thru lane.

Code Reference

Sign Code Chapter 6. 6.5.2

Response to Variance Criteria

1. The Applicant is requesting relief from the requirement which limits applicant to only one menu board 40sf.
2. How any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district. N/A
3. A literal interpretation of this restriction on this outparcel will deprive the applicant the right to conduct their business in a competitive manner as necessary to be successful. Typically Del Taco places 2 menu boards on site to expedite the customer experience. The inability to provide the two menu boards creates a disadvantage for Del Taco at this location as compared to other locations.
4. The code requirements which would limit the number and size of the menu board signs are not applicable since the two menu boards are not visible to the public. Only Del Taco customer are able to see the proposed boards.
5. Granting of this variance would not confer special privileges to the applicant, since the two neighbors on either side have signage that currently doesn't conform to the existing code requirements.
6. This request is unique to this parcel due to the fact the proposed menu boards are not visible from the public right of way.
7. The requested relief from the signage requirements is the minimum necessary to allow for reasonable use of the parcel. The applicant is requesting two menu boards at 50 sf each which will be visible to Del Taco customers only.
8. If the variance is granted the parcel will still be in harmony with the ordinance and neighboring uses. The allowance will not create any additional signage visible to the public and will not cause a detriment to the community. Additionally, the variance will allow Del Taco provide the best product, most efficient customer experience and service to the surrounding community.